

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BOB MCNEIL, individually and on behalf of  
all others similarly situated,

Plaintiff,

- against -

CAPITAL ONE, N.A.,

Defendant.

CASE No. 1:19-cv-00473-NRM-TAM

**NOTICE OF PLAINTIFF'S UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that Plaintiff Bob McNeil, individually and on behalf of all others similarly situated, moves this Court, pursuant to Fed. R. Civ. P. 23, for preliminary approval of a class action settlement. The Settlement Agreement and Releases is concurrently filed as *Exhibit A* to the supporting Memorandum of Law in Support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement ("Memorandum").

In support of this Motion, Plaintiff relies on the Memorandum and supporting Joint Declaration of Class Counsel attached to the Memorandum as *Exhibit B*.

Plaintiff respectfully requests the Court grant the Motion without a hearing and in doing so set the Final Approval Hearing during the week of April 29, 2024, or on a date as soon thereafter that is available on the Court's calendar.

A proposed order on this Motion is being attached to the Memorandum as *Exhibit C*.

Dated: September 15, 2023

Respectfully submitted,

By: /s/ Jonathan Streisfeld

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*Counsel for Plaintiff and Putative Settlement Class*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on September 15, 2023, the foregoing was filed via CM/ECF, which caused a true and correct copy to be served to all counsel of record.

Respectfully submitted,

By: /s/ Jonathan M. Streisfeld

Jonathan M. Streisfeld